

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ANGÉLICA CRISTINA
CARABALLO-MELIÁ, et al.,

Plaintiffs

v.

CIVIL NO. 08-2205 (JP)

ALBERT SUÁREZ-DOMÍNGUEZ, et al.,

Defendants

ORDER

Before the Court is Plaintiffs' motion to strike Defendant Servicios Médicos Universitarios motion to dismiss and/or for summary judgment (**No. 119**) and Defendant Servicios Médicos Universitarios response in opposition thereto (No. 122). Plaintiffs request that Defendant's motion to dismiss and/or for summary judgment (No. 110) be stricken given that Defendant failed to comply with the deadline set out by the Court's Initial Scheduling Conference ("ISC") Order. For the reasons stated herein, said motion is **GRANTED**.

The ISC Order (No. 33) set the deadline for submitting dispositive motions for August 17, 2009, and the deadline for responding to dispositive motions for August 31, 2009. Defendant Servicios Médicos Universitarios filed its dispositive motion on August 28, 2009. Defendant's delay left Plaintiffs with only three days to respond to the motion and, more importantly, interfered with the schedule set out in the Court's Order. The Court will not

tolerate delays in the schedule set by the ISC Order. Given that Defendant Servicios Médicos Universitarios had previously missed deadlines set out by this Court,¹ the Court finds it appropriate to strike Defendant Servicios Médicos Universitarios motion to dismiss and/or for summary judgment.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 10th day of September, 2009.

s/Jaime Pieras, Jr.

JAIME PIERAS, JR.

U.S. SENIOR DISTRICT JUDGE

1. Defendant Servicios Médicos Universitarios did not timely file its Answer to the Complaint and ISC Memorandum.